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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/297,784	07/07/1999	ROBERT SCHWARTZ	ASCOP039USNP	1253

7590

02/26/2004

Clarence A. Green
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EXAMINER

SONG, HOSUK

ART UNIT	PAPER NUMBER
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2135

DATE MAILED: 02/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/297,784

Applicant(s)

SCHWARTZ ET AL.

Examiner

Hosuk Song

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 November 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-16 is/are rejected.
- 7) ☒ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

1. Claims 12-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gilham(US 4,934,846) in view of Lee et al.(US 5,377,264).

Claims 12,15,16: Gilham patent teaches a franking system comprising a cryptographic processor having a random number generator for generating cryptographic keys and executable cryptographic algorithms in (fig.2 and col.3,lines 67-68;col.4,lines 1-2,10-16). Gilham discloses a non-volatile memory for securely storing cryptographic keys in (col.4,lines 21-22,24-33). Gilham discloses a communication bus for communicating with a host computer to initiate generation of postal indicia and allow a user of postal security device to verify the authenticity of postal indicia generated by postal indicia processor by analyzing cryptographic keys in (col.5,lines 21-35). Gilham does not specifically disclose ASIC. Lee's patent discloses ASIC in (col.3,lines 1-13). It would have been obvious to person of ordinary skill in the art at the time invention was made to employ ASIC as taught in Lee with franking machine disclosed in Gilham in order to prevent unauthorized access or modification of the cryptographic keys. ASIC safe guards the keys from tampering. Gilham does not specifically disclose a clock circuit/timeout circuit for secure time keeping of operations of the postal security device. Lee's patent discloses this features in (col.6,lines 27-29,60-64). It would have been obvious to person of ordinary skill in the art at the time invention was made to employ a time-out circuit as taught in Lee with postage meter device disclosed in Gilham so that postal security device does not run continuously so that each transaction is recorded and terminated so that unauthorized attempt to violate the device is prevented. Gilham and Lee do not disclose a non-accessible self test

processor. Examiner takes official notice that this is well known in the art. One of ordinary skill in the art would have been motivated to employ self test processor in order to alert the user that device is working proper order. For example, it is a common practice in the art of reliability to include self-test processor to test whether device is malfunctioning or working normal condition.

Claim 13: Neither Gilham or Lee specifically discloses ASIC is embodied in a PCMCIA card. Official notice is taken that ASIC is embodied in a PCMCIA card is well known in the art. One of ordinary skill in the art would have been motivated to employ ASIC in a PCMCIA card for portability, security and reliability. Further, PCMCIA card provides convenient way for user to employ the card in different system thus enhancing its capability.

Claim 14: Gilham disclose accessible memory is provided to store accounting, identification, and operational history data for a user in (fig.2,3).

Objection

2. Claim 12 recite "a postal indicia processor for generating postal indicia in combination with cryptographic keys". It is unclear whether cryptographic key applicant is claiming is same as cryptographic keys generated from random number generator. For purpose of examination, examiner will assume that cryptographic keys is same as cryptographic keys generated from random number generator.

Response to Amendment

3. Claims 1-11 have been cancelled.

Applicant has added new claims 12-16 which have necessitated new grounds of rejection. See rejections above.

Conclusion

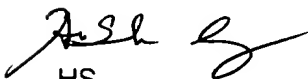
4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hosuk Song whose telephone number is 703-305-0042. The examiner can normally be reached on Tue-Fri from 5:30 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 703-305-4393. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.


HS


KIM VU
SUPERVISORY PATENT EXAMINER
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